

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER LYNN THOMPSON, : Civil Action No.: 2:13-cv-00266-CRE
individually and on behalf of all persons :
similarly situated, : ELECTRONICALLY FILED

Plaintiff,

v.

PEAK ENERGY SERVICES USA, INC.,

Defendant.

~~AMENDED [PROPOSED]~~ ORDER GRANTING
FINAL APPROVAL OF THE SETTLEMENT AGREEMENT

AND NOW, this 19th day of November, 2014, upon consideration of Plaintiff's Unopposed Motion for Final Approval of the Settlement Agreement, the Court grants the Motion and ORDERS as follows:

1. The Parties' Settlement Agreement is finally approved as fair, reasonable and adequate, and a fair and reasonable resolution of a *bona fide* dispute;
2. The following FLSA Settlement Class is certified pursuant to 29 U.S.C. § 216(b): all individuals who are current or former employees of Defendant Clean Harbors Surface Rentals f/k/a Peak Energy Services USA, Inc. ("Defendant" or "Peak") who worked in the United States at any time between February 20, 2010 and June 10, 2011 as Solids Control Technicians;
3. The following Pennsylvania Settlement Class is certified pursuant to FED. R. CIV. P. 23(a) and (b)(3): all individuals who are current or former employees of Defendant Clean Harbors Surface Rentals f/k/a Peak Energy Services USA, Inc. ("Defendant" or "Peak") who worked in the Commonwealth of Pennsylvania at any time between February 20, 2009 and June 10, 2011 as Solids Control Technicians;

4. Plaintiff Christopher Lynn Thompson is approved as the representative of the Pennsylvania Settlement Class, and the proposed service award in the amount of \$10,000 to Mr. Thompson for his service to the Classes and in exchange for his additional released claims in favor of Defendant is approved;

5. Berger & Montague, P.C. and Hardin & Hughes, LLP are approved as Class Counsel for the FLSA Settlement Class and the Pennsylvania Settlement Class;

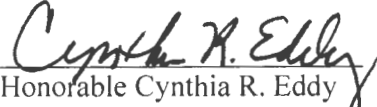
6. Plaintiff's Unopposed Motion for Approval of Attorneys' Fees and Costs is granted, and payment of attorneys' fees in the amount of \$600,000 and costs in the amount of \$35,306.64 are approved;

7. Angeion Group LLC is approved as the Settlement Administrator and the costs of claims administration in the amount of \$15,500.00 are approved;

8. The Court hereby enters final judgment in this case and dismisses it with prejudice in accordance with the terms of the Settlement Agreement. There being no reason to delay entry of this Final Judgment, the Clerk of the Court is ordered to enter this Final Judgment forthwith pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

9. Without affecting the finality of this Final Judgment in any way, the Court reserves exclusive and continuing jurisdiction over this action, the named Plaintiff, the certified Classes, and Defendant for purposes of supervising the implementation and enforcement of the Settlement Agreement, this Order, and all settlement administration matters.

BY THE COURT,


Honorable Cynthia R. Eddy
United States Magistrate Judge